



*Declaration and Power of Attorney**Page 2*

*I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:*

| <u>Provisional Application No.</u> | <u>Filing Date</u>          | <u>Status</u>               |
|------------------------------------|-----------------------------|-----------------------------|
| <u>60/287,171</u>                  | <u>April 27, 2001</u>       | <u>Pending</u>              |
| <u>60/269,788</u>                  | <u>February 16, 2001</u>    | <u>Pending</u>              |
| <u>60/212,577</u>                  | <u>June 20, 2000</u>        | <u>Pending</u>              |
| <u>                    </u>        | <u>                    </u> | <u>                    </u> |
| <u>                    </u>        | <u>                    </u> | <u>                    </u> |

*I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(e) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:*

| <u>Application Serial No.</u> | <u>Filing Date</u>          | <u>Status</u>               |
|-------------------------------|-----------------------------|-----------------------------|
| <u>N/A</u>                    | <u>                    </u> | <u>                    </u> |
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| <u>                    </u>   | <u>                    </u> | <u>                    </u> |

*And I hereby appoint*

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Alan D. Miller (Reg. No. 42,889); and Frank Bruno (Reg. No. 46,583)

*and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.*

## Declaration and Power of Attorney

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Please address all communications, and direct all telephone calls, regarding this application to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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